

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *ey* D.C.  
05 DEC -1 PM 4:43

THOMAS W. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TENNESSEE

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CR. NO. 03-20395-B

DAVID EARL FRANKLIN,

Defendant.

ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY  
And SETTING

This cause came on for a report date on November 28, 2005. At that time counsel for the defendants requested a continuance of the December 5, 2005 trial date in order to allow for additional preparation in the case.

The Court granted the request and reset the trial date to February 6, 2006 with a report date of Monday, January 30, 2006, at 10:30 a.m.,\*\* in Courtroom 1, 11th Floor of the Federal Building, Memphis, TN.

The period from December 16, 2005 through February 17, 2006 is excludable under 18 U.S.C. § 3161(h)(8)(B)(iv) because the ends of justice served in allowing for additional time to prepare outweigh the need for a speedy trial.

IT IS SO ORDERED this 1<sup>st</sup> day of December, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 91 in case 2:03-CR-20395 was distributed by fax, mail, or direct printing on December 2, 2005 to the parties listed.

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Honorable J. Breen  
US DISTRICT COURT